



March 7, 2003

Utah Division of Solid and Hazardous Waste  
288 No. 1460 West  
Salt Lake City, Utah 84114-4880

Re: Financial Assurance Plan, Three Mile Canyon and Henefer Landfills

To Whom It May Concern:

This letter and Attachment are provided to establish financial assurance sufficient to assure adequate closure and post-closure care of Three Mile Canyon Class I landfill and Henefer Class IV Landfill as required under Utah Administrative Code (UAC) R315-309. Total Closure costs have been estimated at \$1,096,288 (\$916,328 and \$179,960 for the Three Mile Canyon and Henefer Landfills respectively) by Bingham Environmental, Inc. (Bingham) in accordance with UACR315-309-2(3) and are attached to this letter. Summit County intends to establish financial assurance using the Local Government Financial Test as provided by UACR315-309-3(7) and as demonstrated as follows:

UACR315-309-3(7)(b)(i)

Summit County currently has unsecured outstanding general obligation bonds and has been issued a rating of A+ by Moody's on those bonds.

UACR315-309-3(7)(b)(iii)

Summit County's financial statements are audited by Schmitt, Griffiths, Smith & Co. an independent certified public accounting firm, and are prepared in conformity with Generally Accepted Accounting Principals for governments.

UACR315-309-3(7)(b)(iv)

Summit county has prepared the 2001 fiscal year comprehensive annual financial report which includes a reference to the closure and post-closure care costs assured through the financial test including; a) the nature and source of the closure and post-closure care requirements, b) the reported liability at the balance sheet date, c) the estimated total closure and post-closure care costs remaining to be recognized, d) the percentage of landfill capacity used to date, and e) the estimated landfill life in years.

UACR315-309-3(7)(d)(i)

The costs of closure and post-closure care of the Three Mile Canyon and Henefer Landfills are the only current costs that Summit County is assuring by a financial test. I certify that Summit county currently exceeds the requirements of Subsections UACR315-309-3(7)(b) and (f) for closure care costs of the Three Mile Canyon and Henefer Landfills. Summit County's total operating revenue for 2001 was \$23,714,244 allowing the assurance of up to \$10,197,124 (43%) under the Local Government Financial Test.

UACR315-309-3(7)(d)(ii)

Summit county's independently audited financial statements prepared by Schmitt, Griffiths, Smith & Co., for the 2001 fiscal year are attached to this letter.

UACR315-309-3(7)(d)(iii)

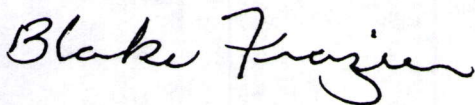
A report to Summit County from a independent certified public accountant stating the procedures performed and the findings relative to the requirements of Subsections UACR315-309-3(7)(b)(iii) and UACR315-309-3(7)(c)(iii) and (iv) in the audit.

UACR315-309-3(7)(d)(iv)

A copy of the 2001 fiscal year comprehensive annual financial report which includes a reference to the closure and post-closure care costs assured through the financial test is provided to the DSHW as part of the 2002 annual report.

Thank you for your attention to this matter. Please do not hesitate to contact me if you have any questions or require additional information.

Sincerely,

A handwritten signature in cursive script that reads "Blake Frazier".

Blake L. Frazier  
Auditor

**UTAH SOLID AND HAZARDOUS WASTE CONTROL BOARD  
SOLID WASTE PERMIT**

**CLASS IVb LANDFILL**

Pursuant to the provisions of the *Utah Solid and Hazardous Waste Act*, Title 19, Chapter 6, Utah Code Annotated (UCA) 1953, as amended (the Act) and the *Utah Solid Waste Permitting and Management Rules*, Utah Administrative Code (UAC) R315-301 through 320 adopted thereunder,

**Summit County**

is hereby authorized operate the **Henefer Class IVb Landfill** located within the Southeast 1/4 of the Northeast 1/4 of Section 33, Township 4 North, Range 4 East, Salt Lake Base and Meridian, Summit County, Utah as shown and specifically described in the permit application, received February 23, 2001 and amended by materials received May 21, 2001.

The operation of the landfill is subject to the condition that permit owner (Permittee) meet the requirements set forth herein.

All references to UAC R315-301 through 320 are to regulations that are in effect on the date that this permit becomes effective. If changes are made in UAC R315-301 through 320 that affect the operation or activities at the landfill, the changes shall become effective on the landfill 180 days following the effective date of the rule or upon a compliance schedule as established for the landfill by the Executive Secretary.

Effective date: 1 November 2001.

Expiration date: 31 October 2006.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

Dennis R. Downs, Executive Secretary  
Utah Solid and Hazardous Waste Control Board

NAME                      Henefer Class IVb Landfill

ADDRESS                      Summit County  
1755 South Hoytsville Road  
PO Box 128  
Coalville, Utah 84017  
435-336-3970

TYPE                      Class IVb Noncommercial Solid Waste Landfill

APPROVAL #                      9612R1

LOCATION                      Landfill site is located in Township 4 North, Range 4 East, within the Southeast 1/4 of the Northeast 1/4 of Section 33, Salt Lake Base and Meridian; Summit County, Lat. 40° 01' 51" N, Long. 111° 29' 50" W.

Permit as used in this document is defined in UAC R315-301-2(54).

The application as deemed complete on May 23, 2001, is hereby approved and is incorporated by reference into this Solid Waste Permit. All representations made in the permit application are part of this permit and are enforceable under UAC R315-301-5(2). The permit application will become part of the operating record of the Landfill. Where differences in wording exist between this permit and the application, the wording of the permit supersedes that of the application.

By this permit to operate, the permittee shall be subject to the following conditions.

I.        **GENERAL COMPLIANCE RESPONSIBILITIES**

A.        General Operation

The Permittee shall operate the Class IVb landfill in accordance with the conditions of this Permit and with all requirements of UAC R315-305, that are currently effective, unless otherwise noted in this permit. Any permit noncompliance constitutes a violation of UAC R315-305 and is grounds for appropriate enforcement action, permit revocation, modification, or denial of a permit renewal application.

B.        Noncompliance

1.        If monitoring, inspection, or testing indicates that any permit condition or any applicable rule under UAC R315-301 through 320 may be or is being violated, the Permittee shall promptly make corrections to the operation or other activities to bring the facility into compliance with all permit

conditions or rules. In the event of any noncompliance with any permit condition or violation of an applicable rule, the Permittee shall promptly take any feasible action reasonably necessary to correct the noncompliance or violation and mitigate any risk to the human health or the environment. Actions may include eliminating the activity causing the noncompliance or violation and containment of any waste or contamination using barriers or access restrictions, placing of warning signs, or permanently closing areas of the facility. The Permittee shall: document the noncompliance or violation in the operating record, on the day the event occurred or the day it was discovered; notify the Executive Secretary of the Solid and Hazardous Waste Control Board within 24 hours, or the next business day following the event; and give written notice of the noncompliance or violation and measures taken to protect public health and the environment within seven days. Within thirty days of the occurrence of the event, the Permittee shall submit, to the Executive Secretary, a written report describing the nature and extent of the noncompliance or violation and the remedial measures taken or to be taken to protect human health and the environment and to eliminate the noncompliance or violation. Upon receipt and review of the assessment report, the Executive Secretary may order the Permittee to perform appropriate remedial measures including development of a site remediation plan for approval by the Executive Secretary.

2. It shall not constitute a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
3. Compliance with the terms of this permit does not constitute a defense to actions brought under any other local, State, or Federal laws. This permit does not exempt the Permittee from obtaining any other local, State or Federal permits or approvals.
4. The issuance of this Permit does not convey any property rights, other than the rights inherent in this permit, in either real or personal property, or any exclusive privileges nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations including zoning ordinances.

C. Inspection and Inspection Access

The Permittee shall allow the Executive Secretary of the Utah Solid and Hazardous Waste Control Board, or an authorized representative, including representatives from the Summit County Health Department, to enter at reasonable times and:

1. Inspect the landfill or other premises, practices or operations regulated or

required under the terms and conditions of this Permit or UAC R315-301 through 320;

2. Have access to and copy any records required to be kept under the terms and conditions of the Permit or UAC R315-301 through 320;
3. Inspect any loads of waste, treatment, pollution management, or control facilities required under the Permit or regulated under UAC R315-301 through 320; and
4. Obtain a record of any inspection by photographic, videotape, electronic, or other reasonable means.

D. Prohibited Waste

No hazardous waste as defined by UAC R315-1 and R315-2; no PCB's as defined by UAC R315-301(52), except construction/demolition waste containing PCB's as specified by UAC R315-315-7(2)(a) and (c); no municipal waste; no special waste, except as specified in this permit; no non-inert commercial waste; and no non-inert industrial waste shall be accepted for treatment, storage, or disposal at the landfill.

E. Acceptable Waste

This permit is for disposal of nonhazardous construction/demolition waste, as defined in UAC R315-301-2(16); yard waste, as defined in UAC R315-301-2(84); inert waste, as defined in UAC R315-301-2(36); dead animals; and waste tires, when the requirements of UAC R315-320 are met.

F. Revocation

This permit is subject to revocation if any condition of this permit is not being met. The permittee will be notified in writing prior to any proposed revocation action and such action will be subject to all applicable hearing procedures established under UAC R315-12 and the *Utah Administrative Procedures Act*.

Revocation of this permit does not revoke the financial assurance established for closure and post-closure care of the facility, nor remove any responsibility for completion of closure and post-closure care for the facility required in UAC R315-302-3.

## II. DESIGN AND CONSTRUCTION

A. Construction



1. The landfill shall be constructed in the area designated and according to the design outlined in the permit application including fences, gates, and run-on/run-off controls.

1. The permittee shall notify the Executive Secretary upon the completion of construction of any final cover system and shall receive approval of the construction by the Executive Secretary.

B. Run-On Control

Perimeter drainage channels shall be constructed as specified in the permit application. These channels shall be maintained at all times to effectively prevent run-off from the surrounding property from entering the landfill.

III. LANDFILL OPERATION

A. Operations Plan

The Operations Plan included in the permit application shall be kept on-site at the landfill. The landfill shall be operated in accordance with the operations plan as included in the permit application.

B. Security

The Permittee shall operate the Landfill in a manner such that unauthorized entry to the facility is prevented. The front gate shall be locked during the time the landfill is not open. At least one person, employed by Summit County as a landfill operator, shall be at the landfill during all hours that the landfill is open. Fencing and/or any other access controls as shown in the permit application shall be constructed and maintained to prevent access of persons or livestock by other routes.

C. Waste Inspections

The Permittee shall visually inspect incoming waste loads to verify that no wastes other than those allowed by this permit are disposed in the landfill. A complete waste inspection shall be conducted at a minimum frequency of 1 % of loads received, but no less than one complete inspection per day.

All containers capable of holding more than five gallons of liquid will be inspected to determine if the waste is acceptable for disposal.

All loads that the operator suspects may contain a waste not allowed for disposal at the landfill will be inspected.

Complete inspections shall be conducted as follows:

1. The operator shall designate and mark the area to be used for complete inspections at the start of each operating day;
2. Loads subjected to complete inspection shall be unloaded at the designated area;
3. Loads shall be spread by equipment or by hand tools;
4. A visual inspection of the waste shall be conducted by personnel trained in hazardous waste recognition and recognition of other unacceptable waste; and
5. The inspection shall be recorded on the waste inspection form found in the permit application. The form shall be placed in the operating record at the end of operating day.

D. Dead Animals

Animal carcasses may be disposed at the bottom of the landfill working face and must be covered with other solid waste or earth by the end of the working day they are received or they may be disposed in a special trench or pit prepared for the acceptance of dead animals. If a special trench is used, animals placed in the trench shall be covered with six inches of earth by the end of each working day.

E. Cover

The permittee shall cover the waste periodically to prevent fires, and control vectors, blowing litter, odor, scavenging, and fugitive dust. Cover shall be provided no less than monthly. At the end of the operating day when cover is applied, the amount of cover placed and the area receiving cover shall be recorded in the operating record and certified by the operator.

F. Disposal of Liquids

Disposal of containers of liquids larger than household size (five gallons), noncontainerized material containing free liquids, or any waste containing free liquids in containers larger than five gallons is prohibited.

G. Roads

All onsite roads used for transporting waste shall be improved and maintained as necessary to assure safe and reliable all-weather access to the disposal area.

H. Burning of Waste



Intentional burning of solid waste is prohibited and is a violation of UAC R315-303-5(2)(b). All accidental fires shall be extinguished as soon as possible.

I. Record Keeping

The Permittee shall maintain and keep on file at the landfill site, an operating record as required by UAC R315-302-2(3). The landfill operator, or other designated personnel, shall date and sign the operating record at the end of each operating day. Each record to be kept shall contain the signature of the appropriate operator or personnel and the date signed. The operating record shall include the following items:

1. A copy of the permit including the permit application;
2. The number of loads of waste and the weights or estimates of weights or volume of waste received each day of operation and recorded at the end of each operating day;
3. Major deviations from the approved plan of operation recorded at the end of the operating day the deviation occurred;
4. Results of other monitoring required by this permit recorded in the operating record on the day of the event or the day the information is received;
5. Records of employee training;
6. Records of all inspections conducted by the Permittee, results of the inspections, and corrective actions taken shall be recorded in the record on the day of the event;
7. Results of inspections conducted by representatives of the Utah Solid and Hazardous Waste Control Board and/or representatives of the Summit County Health Department, when forwarded to the permittee; and
8. Closure and Post-closure care plans.

J. Reporting

The Permittee shall prepare and submit, to the Executive Secretary, an Annual Report as required in UAC R315-302-2(4). The Annual Report shall include: the period covered by the report, the annual quantity of waste received, an annual update of the financial assurance mechanism, a re-application for approval of the financial assurance mechanism, and all training programs completed.

K. Self Inspections

The Permittee shall inspect the facility to prevent malfunctions and deterioration, operator errors, and discharges which may cause or lead to the release of wastes or contaminated materials to the environment or create a threat to human health. These general inspections shall be completed no less than quarterly and shall cover the following areas: Waste placement, and cover; fences and access controls; roads; run-on/run-off controls; final and intermediate cover; litter controls; and records. A record of the inspections shall be placed in the daily operating record on the day of the inspection. Areas needing correction, as noted on the inspection report, shall be corrected and the actions taken placed in the daily operating record.

IV. CLOSURE REQUIREMENTS

A. Closure

The Permittee shall close and maintain the facility in accordance with the closure and post-closure plans included in the permit application and as required by R315-305-5(5) UAC.

B. Title Recording

The Permittee shall make the title recording required in UAC R315-302-2(6).

C. Post-Closure Care

The post-closure care at the closed landfill shall be done in accordance with the Post-Closure Care Plan contained in the permit application for a period of 30 years or until the Executive Secretary finds that the closed landfill has become stabilized and the conditions of UAC R315-302-3(7)(b) or (c) have been met.

D. Financial Assurance

A financial assurance mechanism that will cover the costs of closure and post-closure care at the landfill which meets the requirements of UAC R315-309 shall be maintained, in effect and active, by the Permittee. An annual revision of closure costs and financial assurance funding shall be submitted to the Executive Secretary as part of the annual report. The financial assurance fund shall be adequately funded to provide for the cost of closure at any stage or phase or anytime during the life of the landfill.

V. ADMINISTRATIVE REQUIREMENTS

A. Transfers

This permit may be transferred to a new permittee by meeting the requirements of the Permit Transfer provision in UAC R315-310-10.

B. Permit Modifications

Modifications to this permit may be made upon application by the Permittee or by the Executive Secretary. The Permittee will be given written notice of any permit modification initiated by the Executive Secretary.

C. Expiration

Application for permit renewal shall be made at least 180 days prior to the expiration date, as shown on the signature (cover) page of this permit. If a timely renewal application is made and the permit renewal is not complete by the expiration date, this permit will continue in force until renewal is completed or denied.

D. Expansion

1. This permit is for the operation of a Class IVb Landfill according to the design and Operation Plan described and explained in the permit application. Any expansion of the current footprint designated in the description contained in the permit application will require submittal of plans and specifications to the Executive Secretary. The plans and specifications must be approved by the Executive Secretary prior to construction.
2. Any expansion of the landfill facility beyond the property boundaries designated in the description contained in the permit application will require submittal of a new permit application in accordance with the requirements of UAC R315-310.